

REMARKS**BEST AVAILABLE COPY**

Applicant submits this Response in response to the Office Action mailed August 9, 2005.

Applicant has amended claims 1, 5, 9, 11, 12, 14, 15, 17-20, 22, 24, 29, 32, 37, 40 and 49, and cancelled claims 8, 10, 21, 28 and 33 (without prejudice to presenting any of the subject matter of these claims at a later time). Claims 1-7, 9, 11-20, 22-27, 29-32 and 34-76 are pending. No new matter has been added.

Applicant thanks the Examiner for the indication in paragraph 3 of the Office Action that claims 2-3, 5-6, 8, 10-14, 16-46, 48-51 and 58-76 would be allowable if rewritten in independent form. Applicant has rewritten a number of dependent claims in independent form, adjusted the dependency of certain dependent claims, and made amendments to certain independent claims to incorporate some or all of the limitations from certain dependent claims. Applicant respectfully requests that the Examiner indicate these claims are in condition for allowance.

In paragraphs 1-2 of the Office Action, the Examiner has rejected claims 1, 4, 7, 9, 21, 47 and 52-57 under 35 U.S.C. § 103(a) as unpatentable over Elliott. Applicant traverses these rejections. Applicant has cancelled claim 21, and incorporated its subject matter into claim 22 (now rewritten in independent form), which the Examiner had previously indicated was allowable, and thus the rejection of claim 21 is moot. With respect to the remaining claims, Applicant respectfully requests that the Examiner reconsider the rejections based on the following remarks.

Elliott describes a voice over IP network architecture using "soft switch" sites. (Elliott, col. 18, lines 6-11.) The soft switch sites described in Elliott include a softswitch, an SS7 Gateway, and a signal transfer point (STP). (Elliott, col. 24, lines 34-38.) The softswitch provides the call processing functions of the network. (Elliott, col. 30, lines 18-20.) The SS7 gateway receives SS7 ISUP messages from an SS7 control network and transfers them to the softswitch, and receives signaling messages from the softswitch and sends out SS7 ISUP messages over the SS7 network. (Elliott, col. 33, lines 7-14.) The STPs interface with the SS7 Gateways at soft switch sites to receive and route incoming signaling messages. (Elliott, col. 37, lines 23-28.) Elliott

describes the STPs as having a “gateway screening software feature” which can be performed “on all in-bound messages from another network” or all “outgoing network management messages.” (Elliott, col. 39, lines 13-19.) The screen software can “accommodate up to 2,000 condition statements (rules).” (Elliott, col. 39, lines 15-18.) However, Elliott does not describe how such screening is applied, and specifically does not describe screening to determine whether control messages are proper. Moreover, Elliott does not describe what criteria are used in such screening – for example, state information, point codes, message correlation – in order to determine whether a message is proper.

In contrast to Elliott, claims 1 and 9 each recite a communication network that includes “a signaling system security monitor, separate from the central office switching systems and including a memory storing a state of the communication system, said signaling system security monitor configured to determine if said control data messages are proper.”¹ As noted above, Elliott neither teaches nor suggests a signaling system security monitor configured to determine if control data messages are proper, or stores a state of the communication system. For at least these reasons, Applicant believes claims 1 and 9 to be patentable over Elliott, and respectfully requests that the Examiner withdraw the rejections as to claims 1 and 9. As claims 4 and 7 depend from claim 1, and therefore include all of the limitations of claim 1, these dependent claims are patentable over Elliott for at least the same reasons as claim 1.² As a result, Applicant respectfully requests that the Examiner withdraw the rejections of claims 4 and 7 as well.

Claim 47 recites a method that includes “interpreting said control data messages to determine whether it is appropriate with respect to a destination point code of said control data messages and, in response, determining if said control data messages are proper.” As noted above, Elliott neither teaches nor suggests interpreting control data messages to determine whether control data messages are proper. Moreover, Elliott does not describe determining appropriateness with

¹ Claim 1 has been amended to include the subject matter of claim 8 (which the Examiner had previously indicated was allowable). Claim 9 has been amended to include the subject matter of claim 33 (which the Examiner had previously indicated was allowable).

² As Applicant’s remarks with respect to the base independent claims are sufficient to overcome the Examiner’s rejections of all claims dependent therefrom, Applicant’s silence as to the Examiner’s assertions with respect to dependent claims is not a concession by Applicant to the Examiner’s assertions as to these claims, and Applicant reserves the right to analyze and dispute such assertions in the future.


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respect to a "destination point code" of a message. Although the Examiner has asserted that the screening software described in Elliott performs these steps (Office Action, p. 4), there is no description in Elliott that teaches or suggests using a "destination point code" of a message in any propriety determination. For at least these reasons, Applicant believes claim 47 to be patentable over Elliott, and respectfully requests that the Examiner withdraw the rejection as to claim 47. As claims 52-57 are dependent on claim 47, and therefore include all of the limitations of claim 47, these dependent claims are patentable over Elliott for at least the same reasons as claim 47. As a result, Applicant respectfully requests that the Examiner withdraw the rejections of claims 52-57 as well.

In view of the foregoing, Applicant respectfully submits that the pending claims are in condition for allowance. Accordingly, Applicant requests that the Examiner pass this application to issue. If there are any outstanding issues which need to be resolved to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned representative by phone at the number indicated below to discuss such issues. To the extent necessary a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to deposit account 07-2347.

Respectfully submitted,

February 9, 2006


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